

ESTTA Tracking number: **ESTTA415149**

Filing date: **06/17/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91199263
Party	Defendant Pathway Holdings, LLC
Correspondence Address	REX A. DONNELLY RATNERPRESTIA P.O. BOX 1596 1007 ORANGE ST., SUITE 1100 WILMINGTON, DE 19899 jwmcglynn@ratnerprestia.com, tmde@ratnerprestia.com
Submission	Motion to Amend Application
Filer's Name	John W. McGlynn
Filer's e-mail	jwmcglynn@ratnerprestia.com, tmde@ratnerprestia.com
Signature	/jwm/
Date	06/17/2011
Attachments	Motion to Amend (91199263).pdf (3 pages)(76883 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial Nos. 77/579,821 and 85/084,073



Mark: BEYOND GREEN and

Filed: September 26, 2008 and July 14, 2010

Published in the *Official Gazette*: October 5, 2010 and December 14, 2010

BASF Agrochemical Products B.V.

Opposer,

v.

Pathway Holdings, LLC

Applicant.

Opposition No. 91199263

MOTION TO AMEND

Applicant, Pathway Holdings, LLC, hereby moves to amend the Class 1 portion of the identification of goods in U.S. Application Serial Nos. 77/579,821 and 85/084,073 to delete “degreasing agents not for household use” and leave the Class 1 portion of the identification as follows:

Bacteria preparations containing bacteria for agricultural and horticultural use, namely, for use in the treatment and maintenance of lawns, gardens and ponds; compost; bacteria for waste water treatment; fertilizers; non-chemical bio-fertilizers; waste water treatment chemicals for industrial use; soil improving agents; chemicals for potable water treatment; natural micro-organisms used in pond maintenance

The Commissioner is hereby authorized at any time to charge any fees required, or credit any overpayment, to Deposit Account No. 18-0350.

Respectfully submitted,

RatnerPrestia

By: /jwm/
John W. McGlynn

RatnerPrestia
1007 Orange St., Suite 1100
P.O. Box 1596
Wilmington, DE 19899
Phone: 302-778-2500

Attorney for Applicant

Dated: June 17, 2011

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the document identified below was served on
June 17, 2011 by first class mail on the following counsel of record:

Title of Document:	MOTION TO AMEND
Names of Parties Served:	James D. Weinberger Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza6th Floor New York, NY 10017

/Christopher Perkins/
Christopher Perkins